

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CASE NO. 23-20283

Plaintiff,

vs.

JUDGE: HON. BEHM, F. KAY

MAGISTRATE JUDGE:  
HON. CURTIS IVY

JAMMIE COLLIER,

Defendant,

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**MOTION FOR ADDITIONAL DISCOVERY/DISCLOSURE OF RULE 16  
DISCOVERY MATERIALS**

Jammie Collier, by and through his attorney, Glenn M. Simmington, hereby moves this Honorable Court for an Order for additional discovery pursuant to Fed.R.Crim.P. Rule 16 (a), and in support states the following:

1. He stands before this Court charged with the offense of Felon in Possession of a Firearm, under 18 U.S.C. § 922(g)(1).
2. Following his May 22, 2023 arraignment before the Honorable Curtis Ivy, United States Magistrate Judge, the government immediately provided his defense counsel with “Numbered Discovery Pgs. 0001-0106,” via hand-delivery by Chief AUSA Anthony Vance.
3. Subsequently, on May 25, 2023, defense counsel having received no additional discovery concerning this matter from the government, counsel directed, via email and first-class mail, a “Demand for Disclosure” letter to the assigned Assistant United States Attorney, Nancy Abraham.
4. Said Demand requested, (among other things), “for inspection and copying, or photographing,” and “pursuant to Rule 16(a)(1)(A), (B), (D), (E), (F), and (G) of the Federal Rules of Criminal Procedure, and any Standing Order for, Discovery and Inspection ... entered in the case,” the following materials:
  - i) books, papers, documents, data, photographs, tangible objects, buildings or places, *including but not limited to any and all “dash-cam videos,” (whether equipped with audio-capability or otherwise), “body-cam videos,” (whether equipped with audio-capability or otherwise), dispatch logs, radio-traffic recordings and/or transcriptions of same, and handwritten notes of law enforcement*

*personnel in any way related to Defendant's traffic-stop and/or arrest and or copies or portions of any of such items that are within the government's possession, custody and control ...;*

- ii) books, papers, documents, data, tangible objects, or other written or recorded materials or memoranda, whether stored electronically or otherwise, regarding complaints, internal investigations, disciplinary investigations, and/or civil legal actions involving Special Agent Dan Bowling, and/or Special Agent Nathan Sutara, and/or Michigan State Troopers Kenneth Monroe, #965, and/or Denis McGuckin, #475, and/or Aaron Locke, #unknown), as identified in the Defendants arrest report, dated May 5, 2023 ...; and
- iii) any and all maintenance logs, repair records or orders, or other similar documents or materials relating to the specific patrol vehicles driven and/or occupied by Trprs. Monroe and/or McGuckin and/or Locke at the time of Defendant's May 5, 2023 traffic stop, including but not limited to any such documents or materials that pertain to whether said patrol vehicle(s) was/were equipped with any video or audio equipment, during the first six (6) months of the calendar year 2023[.]

5. Defendant Jammie Collier asserts that the materials so requested, (as well as the various additional materials that were described in Defendant's May 25, 2023 Demand), are required to be disclosed in order to enable counsel to provide "effective assistance" to him, and that an order compelling the government to comply with Fed. R. Crim. P. 16(a) (1) (A), (B),(D),(E),(F), and (G) is necessary. (See **Exhibit A.**)

6. Defense counsel has made the effort to obtain the Government's concurrence in this Motion, but has not been able to secure such concurrence.

WHEREFORE, Jammie Collier, by and through counsel, respectfully requests and order that the government, at a minimum, provide him with such materials as exist, and are listed in his Demand for Disclosure letter to the government, dated May 25, 2023. (**Exhibit A.**)

Dated: June 2, 2023

s/Glenn M. Simmington  
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**MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR  
ADDITIONAL DISCOVERY/DISCLOSURE OF RULE 16 DISCOVERY  
MATERIALS**

Jammie Collier, by and through his attorney, Glenn M. Simmington, as support for his motion for discovery/disclosure of additional Rule 16 discovery materials, hereby gives notice of his reliance upon Fed.R.Crim.P. Rule 16(a), Brady v. Maryland, 373 US 83 (1963), Kyles v. Whitley, 514 US 499 (1995), and United States v. Agurs, 427 US 97 (1976).

Dated: June 2, 2023

s/Glenn M. Simmington  
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### **CERTIFICATE OF SERVICE**

The undersigned certifies that on the 2nd day of June, 2023, the foregoing Motion and Memorandum in Support of Motion, with this Certificate of Service, was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/ Glenn M. Simmington  
Glenn M. Simmington